

## Message Text

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ORIGIN EB-11

INFO OCT-01 AF-10 NEA-14 ISO-00 L-03 CAB-09 CIAE-00

COME-00 DODE-00 DOTE-00 INR-10 NSAE-00 RSC-01 FAA-00

/059 R

DRAFTED BY EB/OA/AVP:CHDUDLEY:DWL

APPROVED BY EB/OA/AVP:DBORTMAN

AF/W - MR. BISHOP(SUB)

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R 202146Z JUN 74

FM SECSTATE WASHDC

TO AMEMBASSY BAMAKO

INFO AMCONSUL CASABLANCA

LIMITED OFFICIAL USE STATE 132708

E.O. 11652: N/A

TAGS: BDIS, ETRN, ML

SUBJECT: MIAMI AVIATION DISPUTE WITH AIR MALI

REF : BAMAKO 1620

CASABLANCA FOR RCAA

1. FOLLOWING INFORMATION FURNISHED BY WORLD AIRWAYS FOR  
EMBASSY BACKGROUND:

A. MIAMI AVIATION HAS NOT YET SERVED WRIT OF EXECUTION  
ON BANK OF AMERICA. BANK OF AMERICA DOES NOT CONSIDER THE  
SECURITY DEPOSIT TO BE SUBJECT TO EXECUTION AT THIS TIME  
SINCE AIR MALI HAS NO RIGHT TO THE MONEY UNTIL THE  
OCCURRENCE OF CERTAIN EVENTS AS SPECIFIED IN THE SECURITY  
AGREEMENT AND LEASE AGREEMENT. THOSE EVENTS HAVE NOT  
OCCURRED AND WILL NOT UNTIL NO AGREEMENT EXISTS BETWEEN  
WORLD AND AIR MALI.

B. SUIT AGAINST AIR MALI BROUGHT IN CALIFORNIA AND  
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SERVICE ON AIR MALI WAS OBTAINED BY WAY OF SERVICE ON

CALIFORNIA SECRETARY OF STATE UNDER CALIF "LONG ARM" STATUTE. AIR MALI WAS GIVEN NOTICE BY MIAMI AVIATION ATTORNEYS AND CALIFORNIA SECRETARY OF STATE IN ACCORDANCE WITH THAT STATUTE. NO QUESTION SUCH NOTICE WAS RECEIVED BY AIR MALI. ATTORNEYS FOR AIR MALI ARE CROSBY, HEAFEY ROACH AND MAY, 900 PARK PLAZA BLDG, 1939 HARRISON STREET,

OAKLAND 94612, TELEPHONE 415/834-4820. (WILLIAM QUINBY IS HANDLING MATTER). QUINBY PLANS MOVE TO HAVE JUDGEMENT SET ASIDE ON BASIS THERE IS NO JURISDICTION OF AIR MALI IN CALIFORNIA. CHANCES OF SUCCESS CONSIDERED GOOD, BUT THERE STRONG POSSIBILITY THAT IN GRANTING SUCH MOTION COURT MAY REQUIRE AIR MALI TO SUBMIT TO CALIF JURISDICTION AND DEFEND SUIT THERE. THIS VERY COMMONLY CONDITION IMPOSED BY CALIF WHEN AGREEING TO SET ASIDE DEFAULT JUDGMENTS. JUDGMENT IS FOR 5 P/C OF PAYMENTS MADE BY AIR MALI TO WORLD UNDER LEASE AGREEMENTS. US DOLLARS 248000 PLUS REPRESENTS AMOUNT OF SUCH JUDGMENT THROUGH JANUARY 1974 ONLY. IT IS STILL GROWING AND CONTINUES TO ACCRUE INTEREST.

C. SUIT BASED ON ALLEGED AGREEMZNT WHEREBY AIR MALI RETAINED MIAMI AVIATION TO OBTAIN AIRCRAFT FOR THEM, COMPENSATION TO BE COMMISSIONS OF 5 PER CENT OF COST TO AIR MALI. SUIT ALLEGES THEY ARE ENTITLED TO 5 PER CENT OF PAYMENTS TO WORLD, AND SINCE AIR MALI VIOLATED SAID AGREEMENT BY INSTRUCTING WORLD NOT TO PAY, AIR MALI OWES MONEY DIRECTLY.

2. REFTTEL BEING REPEATED CASABLANCA FOR RCAA. KISSINGER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** TRADE COMPLAINTS, AIRLINES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 20 JUN 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** WorrelSW  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1974STATE132708  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** CHDUDLEY:DWL  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D740162-0926  
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**Image Path:**  
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**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ORIGIN EB  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Handling Restrictions:** n/a  
**Reference:** BAMAKO 1620  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** WorrelSW  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 AUG 2002  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22 AUG 2002 by izenbei0>; APPROVED <21 FEB 2003 by WorrelSW>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** MIAMI AVIATION DISPUTE WITH AIR MALI  
**TAGS:** BDIS, ETRN, ML, US, WORLD AIRWAYS, AIR MALI  
**To:** BAMAKO  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005